IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.43 OF 2005

Gordhandas S. Garodia and another Petitioners

versus

Dy.Salt Commissioner and others Respondents

Mr.Shekhar Shetye i/by Shaunak Satpute & Co; for petitioners.

Mr.Suraj M. Shah with Y.R.Mishra for respondents.

CORAM : H.L.GOKHALE AND
S.C.DHARMADHIKARI, JJ.

DATE : 14th March 2005

PC :

1. Heard Mr.Shetye in support of this petition. Mr.Shah appears for respondents. The petition seeks to challenge the order dated 2nd November 2004 passed by the Deputy Salt Commissioner, Mumbai on the ground of alleged breaches of the agreement under which the land was leased out to the petitioners. Mr.Shah appears for respondents points out that disputed questions of fact are involved in the petition. Mr.Shetye has taken instructions and states that petitioners will file a suit. He, therefore, seek leave to

withdraw the petition with liberty to file a suit. Petition is allowed to be withdrawn with liberty. Ad-interim order passed earlier will continue for a further period of four weeks hereafter. We make it clear that as and when suit is filed and an application is moved for interim order, that Court will decide the same on the merits.

(H.L.GOKHALE, J.)

(S.C.DHARMADHIKARI, J.)